



18,
19

Planning Commission Staff Report **ADDENDUM**

TO: PLANNING COMMISSION

FROM: JOSH ROGERS, PLANNER II *JR*
(480) 503-6589, JOSH.ROGERS@GILBERTAZ.GOV

THROUGH: CATHERINE LORBEER, AICP, PRINCIPAL PLANNER *ajl*
(480) 503-6016, CATHERINE.LORBEER@GILBERTAZ.GOV

MEETING DATE: FEBRUARY 5, 2020

SUBJECT: A. GP18-09 THE BUNGALOWS ON ASH: REQUEST FOR MINOR GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE CLASSIFICATION OF APPROX. 15.91 ACRES GENERALLY LOCATED NORTH OF THE NORTHEAST CORNER OF GILBERT RD. AND HOUSTON AVE., FROM GENERAL COMMERCIAL TO RESIDENTIAL > 8-14 DU/ACRE.

B. Z19-21 THE BUNGALOWS ON ASH: REQUEST TO REZONE APPROX. 15.91 ACRES GENERALLY LOCATED NORTH OF THE NORTHEAST CORNER OF GILBERT ROAD AND HOUSTON AVE. FROM GENERAL COMMERCIAL (GC) ZONING DISTRICT TO MULTI-FAMILY-LOW (MF-L) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.

STRATEGIC INITIATIVE: Prosperous Community

To allow a single-story multi-family development near the commercial environment along Gilbert Road.

RECOMMENDED MOTION

- A. Move to recommend to Town Council approval of GP19-09 Bungalows on Ash, a minor General Plan amendment; and
- B. For the reasons set forth in the staff report, move to recommend approval to the Town Council for Z19-21, Bungalows on Ash as requested, subject to the conditions listed in the staff report.

APPLICANT

Company: Pew & Lake
Name: Sean B. Lake
Address: 1744 S. Val Vista Dr., Ste. 217
Mesa, AZ 85204
Phone: 480-461-4670
Email: sean.lake@pewandlake.com

OWNER

Company: Gilbert Ash Development, LLC
Address: 2157 E. Baseline Rd., Ste. 101
Tempe, AZ 85283

BACKGROUND/DISCUSSION

History

Date	Description
<i>June 17, 1986</i>	Town Council adopted Ordinance No. 466 pertaining to rezoning approximately 31 acres to Planned Shopping Center-2 (PSC-2) for a retail and medical office center.
<i>March 1, 1988</i>	Town Council approved Z88-1 by adopting Ordinance No. 553, amending the original PAD and including the development plans for Price Savers.
<i>April 13, 1995</i>	Design Review Board approved site plan and elevations for a Kyoto Bowl restaurant.
<i>July 21, 1998</i>	Town Council approved SP444 pertaining to the Final Site Plan for Phase I, and preliminary site plan for phase II and III for a proposed shopping center on the subject parcel.
<i>October 15, 1998</i>	Design Review Board approved site plan and elevations for an IHOP restaurant.
<i>April 11, 2000</i>	Town Council approved Z99-53, amending the PAD to permit gas sales.
<i>April 11, 2000</i>	Design Review Board approved site plan and elevations for a QuikTrip gas station.
<i>December 4, 2019</i>	Planning Commission review GP18-09, Z19-21, and DR19-143 at Study Session.

Overview

The applicant is requesting to change the existing land use classification and zoning for approximately 15.9 gross acres located north of the northeast corner of Gilbert Road and Houston Avenue to the following:

Land Use Classification - From General Commercial to Residential >8-14 DU/Acre.

Zoning - From General Commercial to Multi-Family-Low (PAD).

The subject site is located in between Baseline Road and Houston Ave. on the east side of Gilbert Road, directly north of the existing Sam's Club. The site was originally zoned in the late 1980's as part of the larger 31-acre shopping and medical center but was rezoned a few years later. The master plan contained the Sam's Club parcel as Phase 1 with the subject site (Phase II) planned to come as soon as they found an anchor tenant. Multiple development teams have worked with staff to approve multiple development projects throughout the years, but the community has yet to see one constructed.

The applicant is proposing to change this vacant commercial land into a multi-family development. The Bungalows on Ash will be a gated multi-family community intended to feel like single family living. The proposed 165-unit community would be a mixture of single story "single-family" attached and detached units. The residential units are designed in a cluster configuration, with typically 4-8 units clustered around a common connected pedestrian courtyard.

Surrounding Land Use & Zoning Designations:

	Existing Land Use Classification	Existing Zoning	Existing Use
North	Community Commercial	Community Commercial PAD	Dignity Health Urgent Care and undeveloped building pad
South	General Commercial	General Commercial PAD	Sam's Club and other retail establishments
East	Residential > 5-8 DU/Acre and Residential > 3.5-5 DU/Acre	Single Family – 7 (SF-7) and Single Family-Detached (SF-D)	Sunview Public Park and Sunview Estates Residential Community
West	Residential >14-25 DU/Acre and General Office	Single Family-6 (SF-6) PAD and General Office (GO)	Gilbert Road and then Gateway Court Residential Community and various professional offices.
Site	General Commercial	General Commercial PAD	Undeveloped

General Plan

The General Plan amendment request would change approximately 15.9 acres of General Commercial to Residential >8-14 DU/Acre land use classification. The applicant's proposed development plan establishes an approximate density of 11 dwelling units per acre.

The applicant believes they conform to the General Plan policies for the following reasons (applicant response in *italics*):

- **Goal 1.0** - Promote Gilbert as a community in which to live, work and play.
Policy 1.1 - Maintain a balance of housing types and provide a variety of employment opportunities with easily accessible retail and service uses.

Response - Creating a neighborhood identity centered on single family living with project design that complements Gilbert's heritage

- **Goal 2.0 – Policy 2.1** Encourage landscape buffers between existing developed areas and new development.
Goal 2.0 - Policy 4.2 Encourage appropriate locations for multi-family residential uses that do not adversely impact lower density residential neighborhoods.

Response - Promotes a blend of synergistic land uses that transition from areas of higher intensity and major streets to areas of lower intensity, for example, transitioning from the multi-story residential uses, nonresidential uses, and adjacent traffic to the south and east.

- **Goal 1.0, Policy 1.3** - Encourage residential development that allows for a diversity of housing types for all age groups and is accessible to a range of income levels.
Goal 2.2, Policy 2.2 - Encourage new residential development adjacent to large lot (low density residential) uses to provide lot size and width transitions between the two types of uses so there is a gradual increase of residential densities. Where non-residential is adjacent to residential encourage an appropriate transition of open space.
Goal 4.0, Policy 4.1 - Provide an adequate supply of appropriately zoned land to accommodate a variety of future housing needs.

Response - Develops an infill property with a balance of single-story housing types that support future housing demand.

- **Goal 1, Policy 1.4** Plan areas for community services, including sites for schools, public safety, utilities, parks, trails and open spaces within new development projects. Surrounding residential densities should be appropriate to these non-residential areas and their uses.

Response - Providing residential open space trails, amenities and qualities that promote long-term occupancy and investment in the community.

- **Goal 4, Policy 4.6** Reserve appropriate locations for large homes clustered around natural open space or community amenity nodes.

Response - Clustering homes around the pathways, courtyards, nodes, and open space amenities, which connects neighbors to one another and promotes an active lifestyle and quality living environment.

- **Goal 2.0, Policy 2.1** -Encourage landscape buffers between existing developed areas and new development.

Response - Designing rear yards and common landscape areas that will be professionally maintained by a single-owner entity.

- **Goal 5.0** - Promote commercial, retail, and employment land uses that are compatible with adjacent land uses and meet economic goals.

Response - Supporting the local economy by bringing potential consumers within closer proximity to existing and proposed commercial uses.

- **Goal 7.0** - Reduce automobile dependency in growth areas by efficient organization of land uses and other methods.

Policy 7.1 Balance traffic circulation needs with the goal of creating pedestrian-oriented neighborhoods and convenient employment/retail centers.

Policy 7.2 Incorporate transit related improvements and connectivity in each Growth Area.

Policy 7.3 Interconnect neighborhoods, retail and employment areas with a system of pedestrian and bicycle routes and trails.

Response - Balancing traffic circulation by providing a pedestrian-friendly project, which will decrease commute times, reduce traffic, and improve the local economy.

- **Goal 3.0, Policy 3.5** Promote appropriate mixed-use development within existing land use classifications in identified growth areas that have multi-modal transportation options, including transit or high capacity transportation routes.

Response - Promoting principles of sustainability by locating residential uses near nonresidential uses and creating connections and pathways to support multiple modes of transportation.

Rezoning

The applicant is requesting to rezone the subject site from General Commercial (GC) to Multi-Family-Low (MF-L) with a PAD overlay. According to the conceptual site plan data, the unit mix will include single-family detached and attached (twin) units, as follows:

Units	Count	% of Total Units
1 Bedroom	40	24%
2 Bedroom	82	50%
3 Bedroom	42	26%
Total	165	100%

Staff has expressed concerns to the applicant regarding the rezone due to the increased setbacks and any impact on the existing commercial properties to the north and south that would limit redevelopment or improvement in the future. The applicant mailed the attached letter to the commercial properties to the north and south in response to staff's concerns (See Attachment #9).

PAD Request

The applicant is requesting two modifications to the Land Development Code (LDC) development standards.

Project Data Table

Site Development Regulations	Required per LDC	Proposed
Separation between Buildings (ft.) <i>Single or two story</i>	20'	10' *
Maximum Height (ft.)/Stories	36'	26'/One-story
Common Open Space (Minimum)	45%	43%
Private Open Space (sq.ft.)	60 sq.ft./unit	196 sq.ft./unit

* The development standards **above** shall govern, except that the building separation standard can be reduced by the building or fire code officials. Minor modifications to the configurations on the site plan shall be approved by the Planning Manager. All buildings shall comply with building codes and fire codes, which may result in a loss of units.

Building Separation Reduction: The applicant notes that the minimum separation between buildings will be less than 20' for one story buildings. This modified minimum 10' separation supports the development's efficient and cohesive site design in conformance with the site's pedestrian and open space system. Individual buildings will be clustered and oriented toward pedestrian walkways and centered on open space pathways, and the project will comply with all applicable building code requirements. Between the buildings, sidewalks will be laid out with landscaping, shading and a pattern of common area spaces.

Staff has reviewed the request and determined the building separation reduction can be compatible with the Town's applicable building code standards, subject to the condition.

Minimum Common Open Space Reduction:

The applicant is requesting a reduction of 2% to the minimum common open space requirement, from 45% to 43% (approx. 13,000 sq.ft. reduction). In exchange, they're proposing to increase the minimum private open space per unit by approximately 136 sq.ft. for an estimated total increase of 22,500 sq.ft. private open space.

The applicant notes the increased private open space is the result of the larger-than-required backyards for each unit. The hierarchy of public, semi-private, and private open space creates an enhanced feeling in the project that will contribute to a more livable environment, which promotes neighborhood stability and quality for the area.

The Bungalows on Ash integrates all of these components into a cohesive open space plan, and the proposed active and passive amenities and pedestrian connections exceed the minimum standards. The overarching purposes of the LDC are met in the proposed plan, which creates a “livable neighborhood”, and promotes “quality higher density living environments” at a location where a single-story housing provides “appropriate transitions to other residential and nonresidential uses”.

PUBLIC NOTIFICATION AND INPUT

A notice of public hearing was published in a newspaper of general circulation in the Town, an official notice was posted in all the required public places within the Town and neighborhood notice was provided per the requirements of the Land Development Code Article 5.205.

A neighborhood meeting was held on July 11, 2019. One resident attended the meeting. The residents asked questions regarding as to whether this will be affordable or low-income housing. Developer responded that they are seeking to create a higher-end product.

Staff hasn’t received any comments from the public.

PLANNING COMMISSION STUDY SESSION – DECEMBER 4, 2019

Below is a summary of the Planning Commission’s input from the December 4, 2019 Study Session. The Study Session minutes are attached to this report as Attachment No. 7.

- Some Commission members expressed concern with infilling commercial projects with residential and losing out on potential income down the road.
- Some Commission members felt that given the previous attempts to develop the site and the length of its vacancy, the attempt to develop residential made sense.

PROPOSITION 207

An agreement to “Waive Claims for Diminution in Value” pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 5.201 of the Town of Gilbert Land Development Code. This waiver is located in the case file.

REASONS FOR THE RECOMMENDATION

1. The proposed zoning amendment conforms to the General Plan as amended, any applicable Specific Area Plan, neighborhood, or other plan and any overlay zoning district.
2. All required public notice has been conducted in accordance with applicable state and local laws.
3. All required public meetings and hearings have been held in accordance with applicable state and local laws.

4. The proposed rezoning supports the Town's strategic initiative for Community Livability. It supports the motto "Gilbert: Clean, Safe, Vibrant."

STAFF RECOMMENDATION

- A. Recommend to the Town Council approval of GP19-09, to change the land use classification of approx. 15.9 acres, generally located at the generally located north of the northeast corner of Gilbert Rd. and Houston Ave from General Commercial (GC) to Residential > 8-14 DU/Acre (R>8-14) land use classification; and
- B. For the following reasons: the development proposal conforms to the intent of the General Plan and can be appropriately coordinated with existing and planned development of the surrounding areas, and all required public notice and meetings have been held, the Planning Commission moves to recommend approval of Z19-21 rezoning approx. 15.9 acres generally located north of the northeast corner of Gilbert Rd. and Houston Ave., from General Commercial (GC) zoning district to Multi Family-Low (MF-L) zoning district with a Planned Area Development overlay zoning district (PAD), **subject to the following conditions.**
 - a. Dedication to Gilbert for Gilbert Road rights-of-way that are adjacent to the Property shall be completed prior to or at the time of recordation of the final plat or sooner as required by the Town Engineer. Failure to complete dedication prior to the effective date of this ordinance may result in reversion of the zoning to the prior zoning classification.
 - b. Dedication of Gilbert Road shall extend 70 feet from the center line. The western 65 feet of the 70-foot dedication shall be right-of-way, and the eastern 5 feet of the 70-foot dedication shall be a roadway easement granted to the Town.
 - c. Construction of off-site improvements to Gilbert Road adjacent to the Property shall be completed prior to issuance of a certificate of occupancy or final approval of any building constructed on the Property or at the time requested by Gilbert, whichever is earlier.
 - d. At the written request of Gilbert, Developer shall dedicate all necessary easements for the roadway improvements, including easements for drainage and retention and temporary construction easements. Failure to dedicate said easements within thirty (30) days after the date of Gilbert's written request may result in the reversion of the zoning of the Property to the prior zoning classification.
 - e. Developer shall create a Homeowner's Association (HOA) or Property Owners' Association (POA) for the ownership, maintenance, landscaping, improvements and preservation of all common areas and open space areas and landscaping within the rights-of-way. Maintenance responsibilities for common areas and open space areas shall be specified on the approved site plan.
 - f. Developer shall record easements to be owned by the HOA or POA for pedestrian, bicycle, multi-use or trail system purposes as determined by the final plat, at the time of

final plat recordation, or earlier if required by the Town Engineer. In recognition of the modifications to the underlying zoning regulations set forth herein, such easements shall be open to public access and use.

g. The Project shall be developed in conformance with Gilbert's zoning requirements for the zoning districts and all development shall comply with the Town of Gilbert Land Development Code, except as modified by the following:

Site Development Regulations	Required per LDC	Proposed
Separation between Buildings (ft.) <i>Single or two story</i>	20'	10' *
Maximum Height (ft.)/Stories	36'	26'/One-story
Common Open Space (Minimum)	45%	43%
Private Open Space (sq.ft.)	60 sq.ft./unit	196.ft./unit

* The development standards above shall govern, except that the building separation standard can be reduced by the building or fire code officials. Minor modifications to the configurations on the site plan shall be approved by the Planning Manager. All buildings shall comply with building codes and fire codes, which may result in a loss of units.

Respectfully submitted,



Josh Rogers
Planner II

Attachments and Enclosures:

- 1) Notice of Public Hearing/Vicinity Map
- 2) Aerial Photo
- 3) Land Use Exhibit
- 4) Zoning Exhibit
- 5) Legal Description
- 6) Development Plan (**Amended**)
- 7) Applicant Narrative
- 8) Minutes from the Planning Commission Study Session of December 4, 2019
- 9) **Letters to Adjacent Property Owners from Applicant – Dated January 28, 2020**

GP19-09, Z19-21 The Bungalows on Ash
Attachment 1 - Notice of Public Hearing , ***of Public Hearing***
February 5, 2020

PLANNING COMMISSION DATE:

Wednesday, February 5, 2020* TIME: 6:00 PM

TOWN COUNCIL DATE:

Tuesday, March 24, 2020* TIME: 6:30 PM

**LOCATION: Gilbert Municipal Center
Council Chambers
50 E. Civic Center Drive
Gilbert, Arizona 85296**

***Call Planning Division to verify date and time: (480) 503-6589**

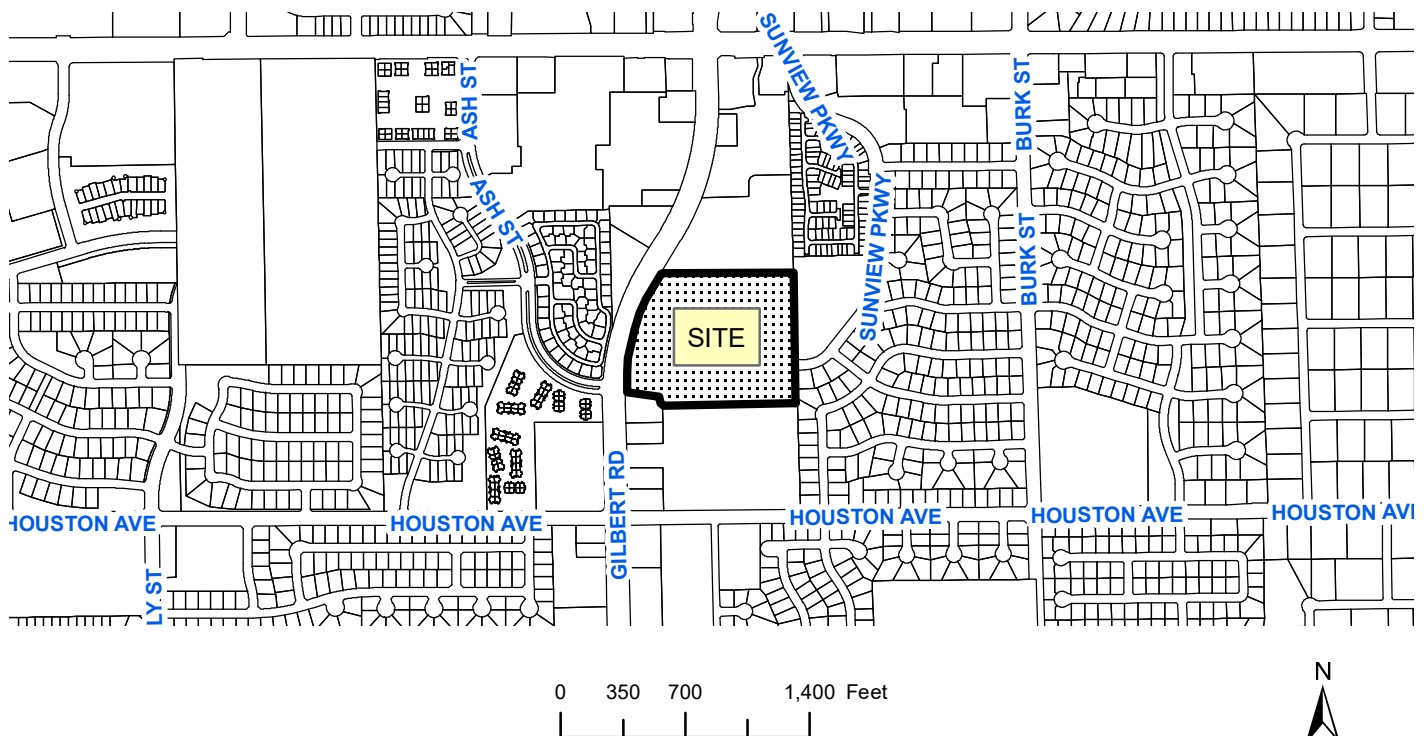
* The application is available to the public for review at the Town of Gilbert Planning Division Monday - Thursday 7AM - 6PM. Staff reports are available prior to the meeting at www.gilbertaz.gov/departments/development-services/planning/planning-commission and www.gilbertdocs.com/gilbertagendaonline.

REQUESTED ACTION:

GP19-09 THE BUNGALOWS ON ASH: Request for Minor General Plan Amendment to change the land use classification of approx. 15.91 acres generally located at generally located north of the northeast corner of Gilbert Rd. and Houston Ave., from General Commercial to Residential > 8-14 DU/Acre. The effect of this amendment will be to change the plan of development to allow residential development.

Z19-21 THE BUNGALOWS ON ASH: Request to rezone approx. 15.91 acres of real property generally located at north of the northeast corner of Gilbert Rd. and Houston Ave., from General Commercial (GC) zoning district to Multi-Family-Low (MF-L) zoning district with a Planned Area Development overlay zoning district (PAD) to modify the requirements for building separation, common open space, private open space and reduction of building height. The effect will be to increase residential density and allow multi-family housing with modified development standards.

SITE LOCATION:

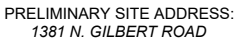


APPLICANT: Pew & Lake PLC
CONTACT: Sean Lake
ADDRESS: 1744 S. Val Vista Dr., Suite 217
Mesa, AZ 85204

TELEPHONE: (480) 461-4670
E-MAIL: sean.lake@pewandlake.com

Aerial Parcel Map
NEC Gilbert Rd. & Ash St.
APN 304-10-021Y





SITE PLAN DATA

EXISTING ZONING/ LAND USE:	GENERAL COMMERCIAL (GC)
PROPOSED ZONING/ LAND USE:	R>8-14



BUNGALOWS ON ASH • EXHIBIT 5: GENERAL PLAN EXHIBIT

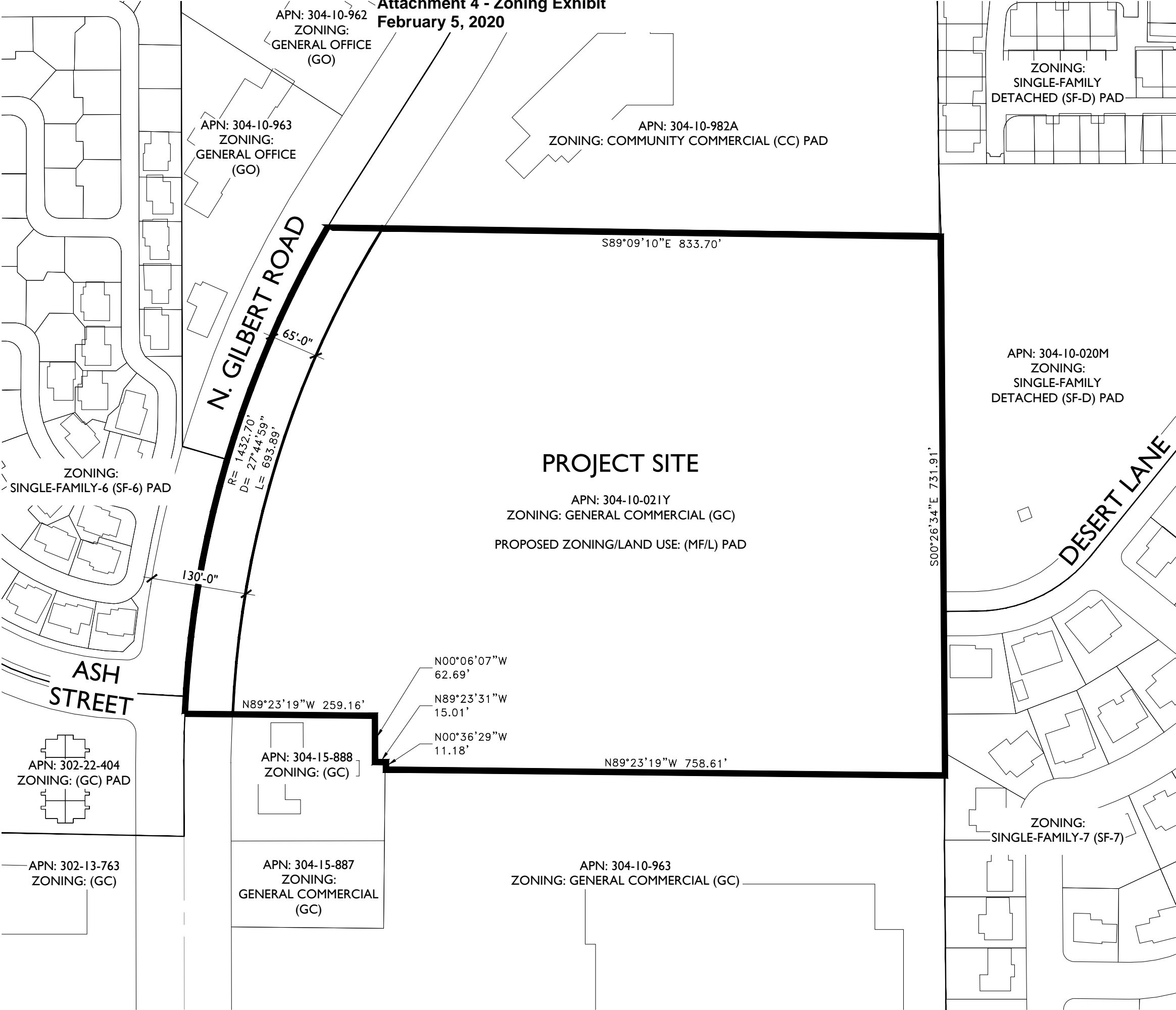
BUNGALO
GILBERT, ARIZONA
JANUARY 23, 2020
19001632.2
CAVAN

RVI
120 S. Ash Avenue
Tempe, Arizona 85281
Tel: 480.994.0994
www.rviplanning.com

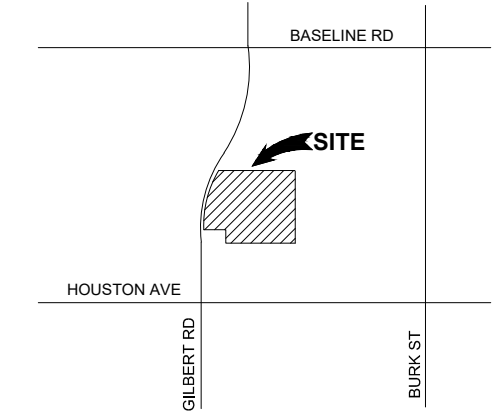
Information furnished regarding this property is from sources deemed reliable. RVI has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.

Copyright RVI

GP19-09, Z19-21 The Bungalows on Ash
Attachment 4 - Zoning Exhibit
February 5, 2020



VICINITY MAP



PRELIMINARY SITE ADDRESS:
1381 N. GILBERT ROAD

SITE PLAN DATA

GROSS AC.	15.91 AC. OR 693,254 S.F.
NET AC.	14.85 AC. OR 646,794 S.F.
APN#:	304-10-021Y
TOTAL # OF UNITS:	165
DENSITY (GROSS):	10.36 DU/AC
EXISTING ZONING/ LAND USE:	GENERAL COMMERCIAL (GC)
PROPOSED ZONING/ LAND USE:	MF/L (PAD)



NOT TO SCALE

Information furnished regarding this property is from sources deemed reliable. RVI has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.

**BUNGALOWS ON ASH
MF ZONING BOUNDARY
LEGAL DESCRIPTION**

A portion of land being situated within the Special Warranty Deed as recorded in Document No. 2003-0192518, Maricopa County Records, Arizona, lying within the Northwest quarter of Section 6, Township 1 South, Range 6 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a found 3 inch Maricopa County Highway Department brass cap in hand hole accepted as the Southeast corner of Section 36, Township 1 North, Range 5 East of the Gila and Salt River Meridian, from which a found 3 inch City of Mesa brass cap in hand hole accepted as the South Quarter corner thereof bears North 89°07'05" West, 2634.63 feet;

Thence North 89°07'05" West, 563.42 feet along the south line of the Southeast Quarter of said Section 36 to the Northwest corner of said Section 6;

Thence leaving said south line, South 00°06'27" East, 1304.34 feet along the west line of said Northwest Quarter;

Thence leaving said west line, North 89°53'33" East, 196.14 feet to the centerline of Gilbert Road, being the **POINT OF BEGINNING**;

Thence leaving said centerline, South 89°09'10" East, 833.70 feet;

Thence South 00°26'34" East, 731.91 feet;

Thence North 89°23'19" West, 758.61 feet;

Thence North 00°36'29" East, 11.18 feet;

Thence North 89°23'31" West, 15.01 feet;

Thence North 00°06'07" West, 62.69 feet;

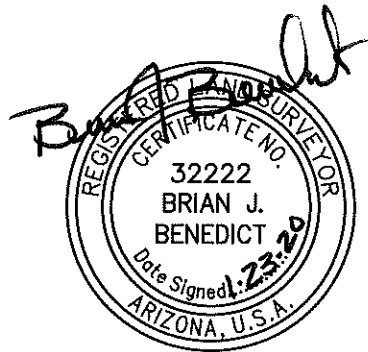
Thence North 89°23'19" West, 259.16 feet to said centerline being a non-tangent curve, concave southeasterly, having a radius of 1432.70 feet, the center of which bears South 87°31'24" East;

Thence along said centerline and northeasterly along said curve, through a central angle of 27°44'59", an arc length of 693.89 feet to the **POINT OF BEGINNING**.

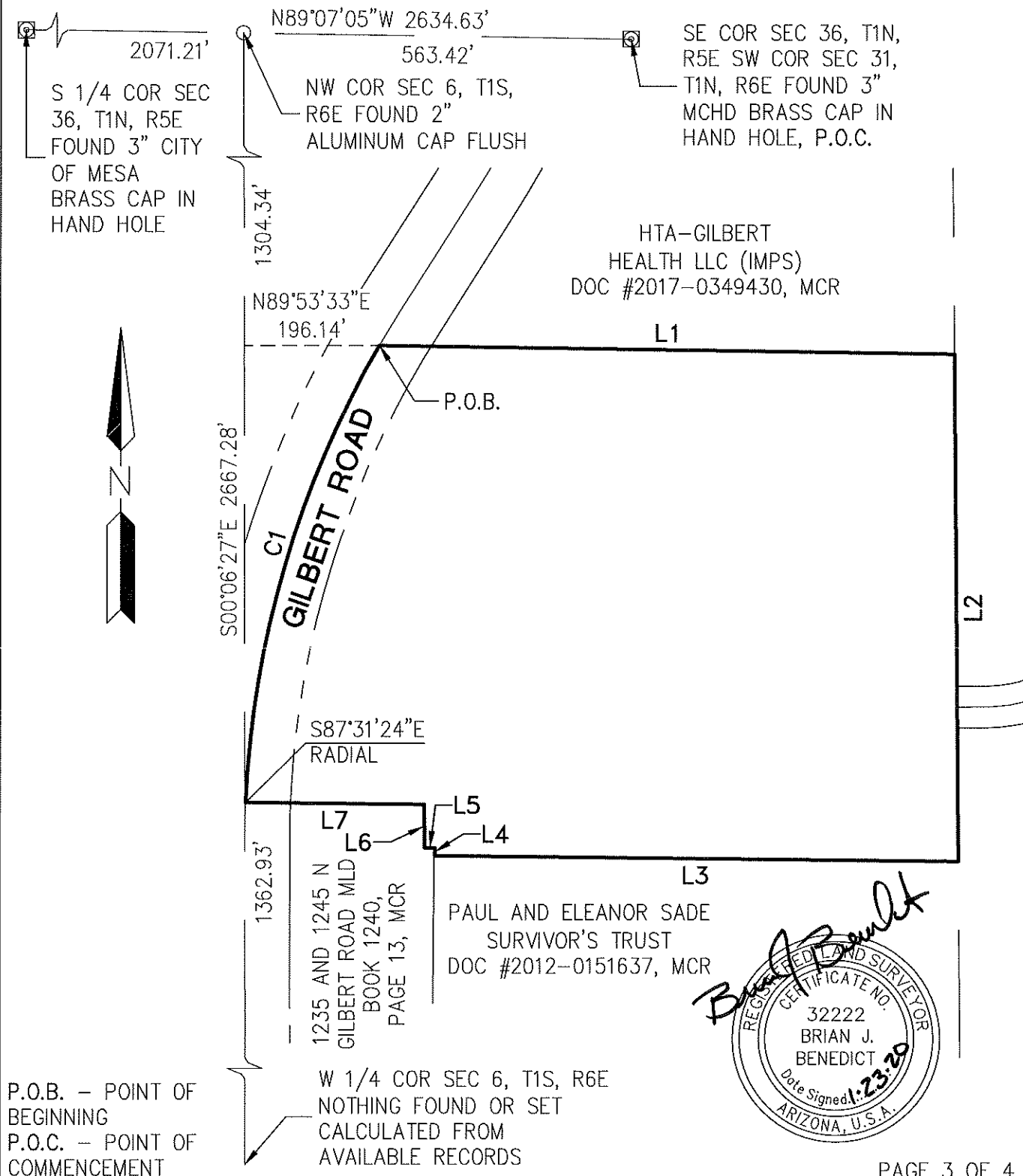
The above described parcel contains a computed area of 691,718 sq. ft. (15.8797 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: HILGARTWILSON, LLC
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No.: 2148
Date: January 2020



BASELINE ROAD

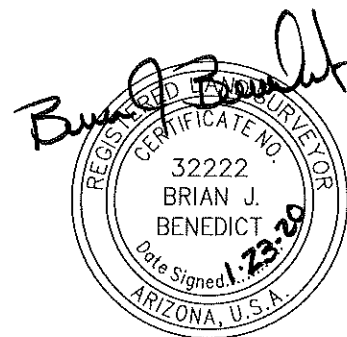


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PROJ.NO.: 2148	BUNGALOWS ON ASH MF ZONING BOUNDARY GILBERT, ARIZONA EXHIBIT	 HILGARTWILSON 2141 E. HIGHLAND AVE., STE. 250 PHOENIX, AZ 85016 P: 602.490.0535 / F: 602.368.2436
DATE: JAN 2020		
SCALE: N.T.S.		
DRAWN BY: GS		
CHECKED BY: BJB		

LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L1	S89°09'10"E	833.70'
L2	S00°26'34"E	731.91'
L3	N89°23'19"W	758.61'
L4	N00°36'29"E	11.18'
L5	N89°23'31"W	15.01'
L6	N00°06'07"W	62.69'
L7	N89°23'19"W	259.16'

CURVE TABLE			
CURVE NO.	RADIUS	DELTA	LENGTH
C1	1432.70'	27°44'59"	693.89'



PAGE 4 OF 4

PROJ.NO.: 2148	BUNGALOWS ON ASH MF ZONING BOUNDARY GILBERT, ARIZONA EXHIBIT	 HILGARTWILSON 2141 E. HIGHLAND AVE., STE. 250 PHOENIX, AZ 85016 P: 602.490.0535 / F: 602.368.2436
DATE: JAN 2020		
SCALE: NONE		
DRAWN BY: GS		
CHECKED BY: BJB		



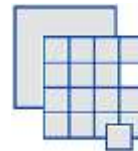
Project Narrative

General Plan Minor Amendment, Rezoning/PAD

Submitted by:

Applicant: Pew & Lake, PLC

Sean B. Lake
1744 S. Val Vista Drive
Suite 217
Mesa, AZ 85204



Pew & Lake, PLC
Real Estate and Land Use Advisors

Planning + Landscape Architecture

Mark Reddie
120 South Ash Avenue
Tempe, AZ 85281



On Behalf of:

Advanced Acquisitions, LLC

December 2019

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1. Introduction

Pew & Lake, PLC, on behalf of Advanced Acquisitions, LLC (an affiliate of Cavan Companies), is pleased to submit this project narrative and related exhibits in support of a General Plan Minor Amendment and a Rezoning/PAD on the approximately 14.85 net acre vacant property located at the northeast corner of Gilbert Road and Ash Street (APN 304-10-021Y). These requests are for the proposed development of *The Bungalows on Ash*, a professionally managed single-family residential attached and detached gated community with one-story rental homes. The proposed development incorporates lifestyle amenities and a lush landscape and open space plan that will bring about a high-quality development to complement and enhance the area. The site aerial is depicted in Figure 1 below:

Figure 1 – Site Aerial



2. Requests

The applicant requests Town of Gilbert approval of the following:

- a. General Plan Minor Map Amendment to change the General Plan land use category from General Commercial (GC) to Residential < 8-14 DU/acre;
- b. Rezoning from GC to Multifamily/Low Density (MF/L) and Planned Area Development (PAD) overlay; and
- c. Design Review (by separate, concurrent application).

The property is designated on the Town of Gilbert General Plan as General Commercial (GC) and is zoned GC (see below Figures 2-3, which indicate the proposed designations). Commercial zoning began on the site when it was rezoned from R1-43 and the Planned Shopping Center District in 1986, as amended in 1988 for a retail shopping center master site plan.

LEGEND

- SHOPPING CENTER (SC)
- COMMUNITY COMMERCIAL (CC)
- GENERAL COMMERCIAL (GC)
- GENERAL OFFICE (GO)
- RESIDENTIAL - 3.5 - 5.0 ACRES (R 3.5-5.0)
- RESIDENTIAL - 5.0 - 10.0 ACRES (R 5.0-10.0)
- RESIDENTIAL - 10.0 - 15.0 ACRES (R 10.0-15.0)
- RESIDENTIAL - 15.0 - 20.0 ACRES (R 15.0-20.0)
- RESIDENTIAL - 20.0 - 25.0 ACRES (R 20.0-25.0)

PROJECT SITE

SC

CC

GC

GO

R > 14-25

R > 8-14

R > 3.5-5

Legend:

- COMMUNITY COMMERCIAL (CC)
- GENERAL COMMERCIAL (GC)
- GENERAL OFFICE (GO)
- SPECIALIZED CENTER (SC)
- MULTI-FAMILY MEDIUM DENSITY (MF/M)
- MULTI-FAMILY LOW DENSITY (MF/L)
- SINGLE-FAMILY DETACHED (SF-A)
- SINGLE-FAMILY ATTACHED (SF-B)
- SINGLE-FAMILY DETACHED (SF-D)
- SINGLE-FAMILY DETACHED (SF-7)

4. Compliance with the General Plan Vision, Goals, and Policies

The proposed development of *The Bungalows on Ash* supports the vision, goals, and policies of the Town of Gilbert General Plan, as follows:

- Creating a neighborhood identity centered on single-family living with project design that complement's Gilbert's heritage (Goal 1.0, Policy 1.1);
- Promotes a blend of synergistic land uses that transition from areas of higher intensity and major streets to areas of lower intensity, for example, transitioning from the multi-story residential uses, nonresidential uses, and adjacent traffic to the south and east (Goal p. 1; Goal 2.0, Policy 2.1; Goal 4.0, Policy 4.2);
- Develops an infill property with a balance of single-story housing types that support future housing demand (Land Use Goal 1.0 Policy 1.3; and Growth Areas Goal 2.2, Goal 4.0, Policy 4.1);
- Providing residential open space trails, amenities and qualities that promote long-term occupancy and investment in the community (Goal 1.0, Policy 1.4);
- Clustering homes around the pathways, courtyards, nodes, and open space amenities, which connects neighbors to one another and promotes an active lifestyle and quality living environment (Goal 4.0, Policy 4.6);
- Designing rear yards and common landscape areas that will be professionally maintained by a single owner entity (Goal 2.0, Policy 2.1);
- Supporting the local economy by bringing potential consumers within closer proximity to existing and proposed commercial uses (Goal 5.0);
- Balancing traffic circulation by providing a pedestrian-friendly project, which will decrease commute times, reduce traffic, and improve the local economy (Goal 7.0, Policies 7.1-7.3); and
- Promoting principles of sustainability by locating residential uses near nonresidential uses and creating connections and pathways to support multiple modes of transportation (Goal 3.0, Policy 3.5).

5. Existing Site Conditions

The property is vacant with unremarkable topography. Along the adjacent Gilbert Road frontage, right-of-way improvements are in place for a six-lane major arterial road, including a raised median, curb/gutter, bike lanes, sidewalks, and street lighting.

6. Relationship to Surrounding Properties

The property abutting the north property line is a medical office. To the east includes public park known as Sunview Park and single-family homes. A Sam's Club shopping center and Sodalicious are located adjacent to the south property line. Gilbert Road is located to the west, followed by professional offices and single-family homes in the Gateway Court subdivision, which is buffered

from the Gilbert Road by a perimeter wall and a landscaped private street known as Dana Street.

Table 1 – Existing and Surrounding Land Use Context

Direction	General Plan Land Use	Existing Zoning	Existing Use
Project Site	General Commercial (GC)	GC	Vacant
North	Community Commercial (CC)	CC	Medical Offices
East	Residential >3.5-5	SF-D, SF-7	Public Park, Desert Ln. Cul-de-sac, Single-Family Residential
South	GC	GC	Sodalicious, Sam's Club
West	General Office (GO) Residential >14-25	GO SF-6	Gilbert Road, Medical Offices, Dana St., Single-Family Residential

7. Planned Area Development

The requested Multi Family/Low with a PAD overlay allows for the protection of a project's quality design and a development plan that incorporates creativity, flexibility, and consistency with the General Plan objectives and purposes of the Gilbert Land Development Code (LDC). The proposed requests are to allow the development of The Bungalows on Ash, a single-family attached and detached gated residential luxury rental community with approximately 165 units. The site area is 15.91 gross acres and 14.85 net acres, which establishes a density of approximately 10.4 units per gross acre. According to the conceptual site plan data, the unit mix will include single-family detached and attached (twin) units, as follows:

Table 2 – Unit Mix

Units	Count	% of Total
1 Bedroom	40	24%
2 Bedroom	82	50%
3 Bedroom	42	26%
Total	165	100%

The applicant is proposing housing units with a more defined brand and greater focus on the single-family, and not the multi-family, component of this hybrid housing product. The residential units are designed in a cluster configuration, with typically 4-8 units clustered around common connected pedestrian courtyard. Common amenities and open spaces are provided in central locations with easy access for all residents, and a perimeter landscape setback includes a pedestrian trail for the benefit of the residents. Each unit will include a private enclosed backyard for additional outdoor open space within the development, which is similar to a single-family development. The submitted Conceptual Site Plan is depicted in Figure 4 below.

Figure 4 – Preliminary Site Plan



The proposed location is a suitable site for a residential use such as Bungalows on Ash as discussed in greater detail in the section regarding General Plan compliance (Section 4 above). It is commonplace for mid-block properties that do not function for a commercial use to be developed as a multi-family residential use. This is commonplace because of the transitioning intensity of uses along main roadways and the modern trend of “smart growth” efforts that promote a blend of uses and discourage unending strips of commercial along arterial roadways.

For example, across the street from the project site are single family homes and multi-family homes located between General Commercial, General Office, and Shopping Center zoning at the same midblock location, which shows that the proposed zoning at this location is reasonable. Similarly, a residential use on the subject property is compatible with the surrounding General Commercial and General Office uses because of the lower building heights and lower intensity that will mitigate any effect on the commercial properties. Also, implementing a residential use will support the surrounding business by bringing additional customers to within walking distance of those commercial sites.

Alongside these benefits to the commercial properties, it is noted that the Development Code imposes greater setbacks where any nonresidential zoning abuts multi-family zoning. For the office development to the north of the site and Sam’s Club to the south, because of the deeper lots, lack of demand in the area, and configuration of those site plans, the setbacks will not likely have any effect. It is uncommon to develop commercial buildings in the back of commercial

developments because of the low visibility and poor marketability. And in this case, buildings such as the Sam's Club and the office building are easily maintained in a manner that prolongs their lifecycle. Any development near the property lines is very unlikely.

Nonetheless, one alternative that would address any question regarding setbacks would be for the Town to "grandfather" the existing adjacent building setbacks for those specific properties through application of the Code's respective non-conforming standards. This would be applied to the adjoining properties on the basis of promoting the welfare of the community through the approval of this rezoning request, the single-story limitation, economic development advantages, and the benefits that the proposed PAD provides the community. This option would grandfather the existing building setback standards along those property lines as long as those properties maintain the same or comparable zoning district.

Additionally, another approach proposed in this request is to apply the MF/L zoning to the entire site, but leaving out a 1-foot buffer of General Commercial zoning on the north and south property lines wherever they abut the adjacent properties. Combined with the grandfathering alternative, this 1-foot buffer would enable the property owners to the north and south to develop within the building setbacks as they currently stand if so desired.

a. Site Access and Circulation

The main entrance for *The Bungalows on Ash* will be located off Gilbert Road aligned with the existing access and lighted intersection at Ash Street. The proposed plan for this entryway will include a prominent corridor with a landscaped median that creates a sense of entry. It will lead to a distinctly designed residential clubhouse and leasing accommodations building. Branching off from the main entry are code-compliant gated driveways that connect to a looped system of private drives and parking areas.

The circulation and parking plan will comply with the applicable Town of Gilbert requirements. The proposed parking plan will offer individual parking garages, covered spaces, and open public parking, which will address the anticipated parking demand for residents and visitors. To minimize the impact of the waste disposal containers, enclosures will be discretely located and situated to promote site safety and functionality for the collection vehicles.

b. Open Space and Landscape Design

As shown on the preliminary site plan, the proposed development will offer a generous amount of landscaping, courtyards, amenities, and a connected pedestrian circulation system. Where approximately 45% of open space is required, approximately 48% combined common and private open space is provided with various features that create a resort-style living environment for the residents. Minimum 43% will be common open space, and minimum 5% will be located in the private backyards. The private open space areas include private back yard enclosures maintained by the professionally managed ownership entity. These areas will enable each owner to enjoy greater privacy, space for pets, and will provide room to locate a table, shade umbrella, and seating.

The project site will feature a central community amenity area, which may include, but is not limited to, a welcoming clubhouse building, a resort-style pool and spa, turf lawn, BBQ amenities, and gathering areas with seating and shade trees and structures. Secondary open space amenities include, among other things, a dog park, connecting pathways with landscaping and shading, and outdoor seating. The center of the project has an open space-pedestrian corridor that leads to a convenient access to Sunview Park to the east. The overall sidewalk design will focus connectivity from each cluster to the open space amenity areas while not connecting each cluster together to maintain some level of privacy for residents within the cluster courtyard areas.

Perimeter landscaping will be provided along Gilbert Road with trees and landscaping that will soften the feel along that arterial road. Similar perimeter landscaping with depths consistent with the Development Code will be provided along the north, east, and south property lines. A pedestrian trail will be incorporated into this common area landscaping.

c. PAD Development Standards

The Bungalows on Ash meets or exceeds the development standards for MF-L zoning, except for a few minor modifications that may be approved under a PAD as they are justified by the unique characteristics of the proposed development, site constraints, and surrounding land uses. Table 3 below provides a summary with modifications provided in **bold**:

Table 3 – Modified Development Standards

Development Standards	Required MF-L Gilbert LDC	Proposed Standard (Modifications in Bold)
Common Open Space, Table 2.204	45%	43%
Private Open Space, Table 2.204	60 SF/Unit 9,900 SF (1.5%)	196 SF/Unit 32,340 SF (5%)
Building Separation, 1-story, Table 2.204	20 ft.	10 ft.

One of the main premises for the proposed development is to develop a highly desired product in the residential marketplace with a one-story building height, which will create a reasonable transition in land uses. Based on the developer's extensive experience in delivering high-quality rental housing, the proposed housing product has proven attractive to residents for many reasons. For one, the project is set up more like single-family homes, which have no units above or below as in the case of traditional apartments, and no common walls for the two-bedroom or three-bedroom units (the one-bedroom units being twin homes with a common wall on one side only). This arrangement allows allow more natural lighting to enter each unit on three to four sides of the buildings. The project design enhances the comfort of the interior spaces and access to the pedestrian pathways and outdoor amenities. As a result, *The Bungalows on Ash* establishes a cohesive plan and a desirable, resort-like environment.

Comparison to Single-Family and Single-Family Attached Requirements: Because of the hybrid housing type, the project's development standards are comparable to SF/A and SF-6 standards. According to the Gilbert Residential Guidelines, single-family developments do not have a minimum a maximum open space percentage if they are less than 20 acres in size. For those greater than 20 acres in size, 10% of common active and passive open space is required. In this

case, 48% of combined common and private outdoor open space is proposed on a 14.85-acre site, and a balance of active and passive open space permeates the proposed project. The Subdivision Guidelines also require perimeter landscaping of 20 ft. for single-family subdivisions, and the proposed development complies with that standard.

Open Space: Based on the preliminary development plan, a total of 43% of Common open space and 5% of private open space are proposed, which equals 48% total open space. The proposed 43% common open space is an approximately 4.7% deviation. 196 SF of private open space is proposed, which is approximately 300% higher than the required 60 sq. ft. required and provides support for the requested deviation in common open space. Looking at both private and common open space is appropriate because *The Bungalows on Ash's* development plan functions and lives in part as a single-family community. The increased private open space is the result of the larger-than-required backyards for each unit. The hierarchy of public, semi-private, and private open space creates an enhanced feeling in the project that will contribute to a more livable environment, which promotes neighborhood stability and quality for the area.

Gilbert's open space requirements for single-family zoning districts of this size and nature are addressed through private yards, active and passive amenity areas, density, and perimeter landscaping. *The Bungalows on Ash* integrates all of these components into a cohesive open space plan, and the proposed active and passive amenities and pedestrian connections exceed the minimum standards. The overarching purposes of the LDC are met in the proposed plan, which creates a "livable neighborhood" (§ 2.101D), and promotes "quality higher density living environments" at a location where a single-story housing provides "appropriate transitions to other residential and nonresidential uses" (§§ 2.201C and D).

Building Separation: The minimum separation between buildings will be less than 20 ft. for one-story buildings. This modified minimum 10-foot separation will be applied to provide for the development's efficient and cohesive site design in conformance with the site's pedestrian and open space system. Individual buildings will be clustered and oriented toward pedestrian walkways and centered on open space pathways, and they will comply with all applicable building code requirements. Between the buildings, sidewalks will be laid out with landscaping, shading, and a pattern of shared common area spaces.

The above modified standards are further justified by the instances where the project exceeds standards, which is the case in terms of the building height, clubhouse size, tree counts, open space amenities, and building setbacks in some situations.

8. Preliminary Design Concepts

The design will be addressed in the separately submitted Design Review application. A synopsis is provided here to illustrate the quality of the proposed development and the cohesive themes that create a unique sense of place.

At the primary entry to the site, a landscaped boulevard and residential clubhouse building will create a prominent sense of arrival for the community. The entry features, combined with the

development's walls, gates, landscaping, street design, and monumentation will make a statement as to the project's low-intensity residential character and high quality craftsman design theme with modern elements. Residential units will likewise incorporate a craftsman architectural style. Elevations will be punctuated with various design materials, details, and colors harmonious with high-quality trends.

Interior spaces will include quality design features, such as ten-foot ceilings, larger scale windows, patios that transition to outdoor spaces, and private backyards. As designed, the project will be ideal for families, pet owners, and individuals who enjoy the outdoors and who seek to be long-term residents in the community.

9. Compliance with General Plan Amendment Criteria

The Bungalows on Ash supports the vision, goals, and policies of the Town of Gilbert General Plan, which promotes a blend of synergistic land uses that transition from areas of higher intensity and major streets to areas of lower intensity. It encourages the development of a balance of housing types that support future housing demand. In addition to the above discussion on consistency with specific General Plan goals and policies, the proposed development fulfills the criteria for General Plan amendments, as follows:

a. Compatibility with Surrounding Land Uses

- Density is compatible with abutting park, residential, office, and retail; landscaping and separation to buildings provide buffers;
- The land use provides an effective transition in every direction; eliminates outmoded style of an uninterrupted string of commercial zoning along main roadways; and
- Less intense use in terms of building scale and overall open space;

b. Unique Site Constraints and Surrounding Neighborhood Support a Residential Use as opposed to a commercial use.

- North of the half-mile midblock location has less visibility
- curve in the road focuses attention away from some of the site depending on the direction of travel.
- The property is deeper than typical for a commercial site in similar conditions (e.g., office to north has vacant space in the back).
- Substantial commercial uses nearby capture the attention of commuters in adjacent neighborhoods, and nearly all these developments have vacancies.

c. Sustainability of Physical, Cultural, and Environmental Resources

- The proposed residential land use supports principles of sustainable communities, where strategically planned housing is designed in areas, including infill properties – as opposed to the fringe.
- Smart growth type of land use that makes efficient use of the Town's physical, cultural, and environmental resources.
- Develops an infill property with unique constraints, which avoids new development

that disturbs the native desert.

- Proximity to commercial and recreational resources (walking/biking distance) will support the nearby business centers and promote the active and healthy lifestyle of its residents.
- Internal site amenities within close proximity to each residential unit will contribute to a healthy lifestyles for residents, which will encourage longer term residency and investment in the community and its cultural resources.
- Site landscaping will comply with Town requirements and incorporate low-water plant material.
- Trees in the perimeter landscaping and throughout the site will reduce the heat island effect and provide shade along pedestrian paths and open space amenities.
- Homes will be designed in compliance with recent building codes and standards that promote energy efficiency.

d. Suitability: Site History and Market Conditions Support a Residential Development.

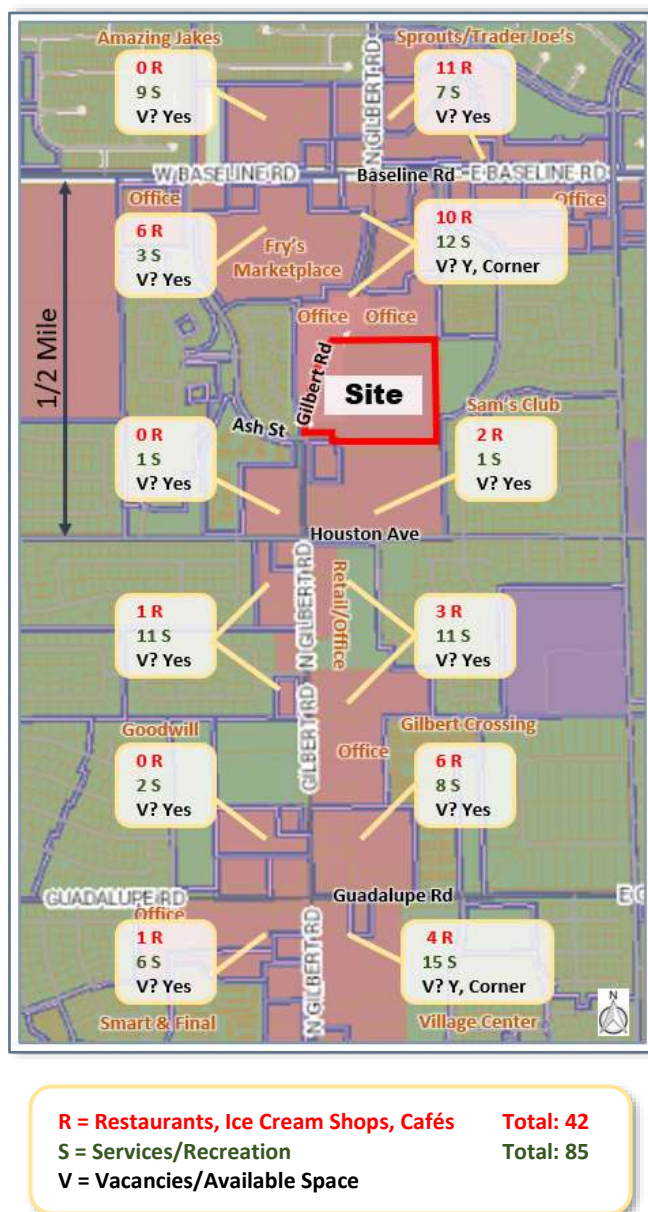
The following analysis of market conditions support a residential use at the subject property.

- **Multi-family** – This use category has the highest occupancy and highest demand of the various categories in that area, showing some of the lowest vacancy rates of 4-5% (Cushman & Wakefield, 2019; Costar, 2019). Demand for housing with high quality amenities is causing new residential units to fill up quickly.
- **Offices** – Office uses are lagging in the Gilbert market compared to other locations. The area's vacancy rate is as high as 29-32%, the highest in the Metro Phoenix Area (Cushman & Wakefield, 2019). While there has been some office growth in specified areas, including Gilbert's Rivulon area and Chandler's Price Road corridor, the office market is at its lowest levels since 2008 (C&W, 2019).
- **Retail/Services/Commercial** – The neighborhood from the Baseline Road intersection to the Guadalupe Road intersection is saturated with retail, services, and commercial uses. Any additional commercial uses could create additional competition for an area that needs additional stimulus. The proposed residential use will bring new consumers to the area and strengthen local businesses.

In the broader market, the Retail-Commercial category is lagging behind residential, with vacancies around 9% in the Gilbert market area (Avison Young, Gilbert Retail Data, 2019). Generally, Class A retail is trending toward specific areas such as the Heritage District, at main arterial corners, and freeway frontages (US-60) where properties can attract visitors from a larger area. Retail uses adjacent to and east of Houston Avenue are Class B and C based on the current tenants, building types, vacancies, and maintenance level.

Figure 5 below illustrates the high number of restaurant and service types of commercial uses along and nearby Gilbert Road from Baseline Road to Guadalupe Road, and which sites have vacancies. The information was based on a field survey performed in September 2019. The findings indicate that there are approximately 42 restaurants and cafés and 85 service uses. Every project had visible signs of at least some vacancies and available spaces for lease. Vacancies at two of the arterial-arterial intersections included the prime corner buildings nearest the intersection.

Figure 5 – Nearby Restaurants, Services and Vacancies



e. Availability of Public Infrastructure

- Right-of-way improvements have been developed along Gilbert Road;
- Infill location makes efficient use of land near existing utilities, such as water, sewer, power, gas, and telecommunications;

- Based on a preliminary analysis, there is adequate capacity; the proposed development will have efficient access to these facilities without having to expand or upsize; and
- Infrastructure and services will comply with all applicable Town codes and standards.

f. Fiscal Impact

- The proposed use promotes the fiscal stability of the Town by developing an underutilized property in a manner that minimizes effects on public utilities and services.
- The developer will be responsible for all applicable costs of the development on the subject property.
- At the appropriate stage of development, development fees will be paid to support the Town's capital improvements and facilities.
- development of the property will increase the value of the property, which can indirectly increase the values of surrounding properties in Gilbert. Added tax revenues will ultimately benefit funding of city services and public schools in the long run.
- The proposed residential units will promote economic development by bringing potential consumers in closer proximity to developing regional commercial developments properties, thereby increasing consumer spending in Gilbert.

10. Public Utilities and Infrastructure

The proposed development will comply with all applicable Town of Gilbert regulations and standards regarding right-of-way and infrastructure improvements.

a. Utilities and Services

Utilities in the property's vicinity include Town of Gilbert for water, sewer, police, fire, and waste disposal. The property is in Southwest Gas's service area for natural gas, and in SRP's electric supply service area, and based on a preliminary analysis, there is adequate capacity to service the proposed development. Utility installation will be consistent with Town standards.

Regarding water services, the site will connect to a 16-inch water line in Gilbert Road with two 8-inch stub-outs, which are available for connections to an onsite looped water system. Sewer services are also available, with an 8-inch line and stub-out in Gilbert Road. All other services are in close proximity to the subject property.

Based on the applicant's experience with the proposed housing product, it anticipates negligible effect on the surrounding public schools. According to a preliminary analysis, there are approximately 14 elementary, middle school, and high schools within an approximately 9-minute drive, and there are approximately 6 public and private college and technical schools within 10-15 minute drive. Improvement of the property as planned will increase the assessments in a manner that will contribute to the long-term sustainability of local schools.

b. Right-of-way improvements

Along the property's west frontage, the Gilbert Road right-of-way is built-out and includes a 6-lane arterial with bike lanes, a raised median, a sidewalk, and lighting. The developer anticipates constructing a deceleration lane in compliance with Town standards.

c. Drainage

Proposed Drainage for the project will comply with the Town of Gilbert's standards for onsite and offsite drainage and retention. The property falls within FEMA Zone "X" Shaded per the Maricopa County, Arizona and Unincorporated Areas Flood Insurance Rate Map (FIRM). It will retain runoff generated onsite from a 50-year, 24-hour storm event via surface retention basins and an oversized underground storm drain. The volume of retention will accommodate any runoff from onsite flows and Gilbert Road's half street offsite flows. Given the proposed development is single-owner, retention areas will be professionally maintained by a single-owner entity.

11. Project phasing

Efficient phasing will enable the successful implementation of the proposed development plan. The proposed driveways, right-of-way improvements, drainage facilities, and utility services will be installed in the initial phase. Thereafter, the central open space and pool area will be developed in conjunction with perimeter and other site landscaping. Vertical construction will follow in clusters through project completion.

12. Neighborhood Outreach

In compliance with Gilbert's pre-application and neighborhood notification requirements, the applicant for *The Bungalows on Ash* has filed a pre-application package and held a neighborhood meeting on July 11, 2019, which afforded an opportunity for nearby property owners to learn about the preliminary development concepts and discuss comments with the applicant for the project. Only one person attended the meeting, who only had general questions about the project. The applicant will welcome additional feedback from the community as the development process advances.

13. Conclusion

The proposed *The Bungalows on Ash* development will bring a quality addition to the area and establish a unique, high quality residential development. The community design, product types, and open space plan are sensitively designed to be compatible with the surrounding area. The proposed plans meet or exceed standards and possesses the elements of a viable and sustainable place in which to live.

TOWN OF GILBERT
PLANNING COMMISSION - STUDY SESSION

Council Chambers
50 E. Civic Center Drive, Gilbert, AZ
December 4, 2019

COMMISSION PRESENT:

Brian Andersen, Chair
Carl Bloomfield, Vice Chair
Noah Mundt
Scott September
Jän Simon
Philip Alibrandi, Alternate

STAFF PRESENT:

Sydney Bethel, Planner II
Keith Newman, Planner II
Josh Rogers, Planner II
Amy Temes, Senior Planner
Nathan Williams, Senior Planner
Eva Cutro, Planning Division Manager
Nancy Davidson, Assistant Town Attorney

COMMISSION ABSENT:

David Cavenee
Les Smith
Nathan Mackin, Alternate

RECORDER:

Dana Desing

COUNCIL LIAISON PRESENT:

Brigette Peterson

CALL TO ORDER

Chair Brian Andersen called the December 4, 2019 Planning Commission Study Session to order at 5:03 p.m.

- 1. GP19-09 THE BUNGALOWS ON ASH: Request for Minor General Plan Amendment to change the land use classification of approx. 15.91 acres generally located north of the northeast corner of Gilbert Rd. and Houston Ave., from General Commercial to Residential > 8-14 DU/Acre.**

Z19-21 THE BUNGALOWS ON ASH: Request to rezone approx. 15.91 acres generally located north of the northeast corner of Gilbert Road and Houston Ave. from General Commercial (GC) zoning district with a Planned Area Development (PAD) overlay to Multi-Family-Low (MF-L) zoning district with a Planned Area Development (PAD) overlay.

DR19-143 THE BUNGALOWS ON ASH: Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 15.91 acres, generally located north of the northeast corner of Gilbert Rd. and Houston Ave., and pending rezoning to Multi-Family-Low (MF-L) zoning district with a Planned Area Development (PAD) overlay.

Planner Josh Rogers reviewed the Minor General Plan Amendment, rezone and design review for The Bungalows on Ash. The site is located north of the northeast corner of Gilbert Road and Houston Avenue, north of the existing Sam's Club and south of the existing Dignity Health facility. The original master plan for medical office, retail, and shopping center was approved in the late 1980s, although nothing ever came of it. A few years later, Price Club came in with a development plan and amended the original PAD for a main anchor club store and associated restaurants and other facilities along Gilbert Road. The Bungalows site was originally intended as a Phase 2 with a large anchor tenant and supporting restaurant and retail along the street. In the early 1990s, five or

six different developments were approved for those supporting industries including an IHOP, Kyoto Bowl, and a few others, although because there was no main anchor tenant, those were never built.

The applicant is requesting a General Plan Amendment to change from General Commercial to Residential >8-14 DU/Acre. The site itself is almost 16 acres and this development plan will have an average density of 11 DU/Acre. The rezoning request is to go from General Commercial (GC) PAD to Multi-Family-Low (MF-L) with a PAD. Internal meetings have been held with the applicant and as a result the amount of deviations requested has been drastically reduced. The only deviations being requested are a decrease in the internal building separation requirement from 20' to 10' as well as a perimeter wall modification from the required 8' to 6' for aesthetic purposes. Staff has requested that the building be limited to one story. The applicant is proposing 166 units with a mix of one, two, and three-bedroom units.

Staff has noted that rezoning this site from General Commercial to Multi-Family will result in increased setbacks for the neighboring properties to the north and the Sam's Club to the south in the event they ever want to add to their properties or redevelop those sites in the future. If these requests were to be approved, the current building setback of 20' would increase to 75' next to Multi-Family and would place a burden on the neighboring sites for any future development. Staff would like feedback from the Commission regarding this concern.

The proposed project will have one main entry off of Gilbert Road with a fire access to the north. The exhibit provided is the original site plan which shows combined private and public open space with private back yards along the perimeter. Through discussions with staff, the applicant decided that was not the best plan. An updated site plan has not yet been submitted. The Development Plan is currently the most accurate version to date and includes a walking trail and trees in the perimeter landscape area. There is a lush landscape plan with central open space as well as a fire pit area along the eastern boundary of the site that connects to the public park to the east. There are no internal separation walls except for those separating the individual back yards of the homes. The wall plan contains a mix of theme walls and view fencing. The applicant is proposing for rent single-story detached multi-family units that resemble single-family homes. There will be a mix of single-story one-bedroom attached units with side entry and 2-bedroom and 3-bedroom single-family units. The details are still being worked out with regard to attached or detached garages. There will be a central office as well as a clubhouse. Staff is looking for input from the Commission regarding the general site design and elevations.

COMMISSION QUESTIONS/COMMENTS:

Vice Chair Bloomfield noted staff's concerns regarding future setbacks for the adjacent properties. He did not see how that would affect Sam's Club much as it has been there for 20 or 30 years. Dignity Health has an open pad that is available for development. He asked if this was a big enough concern for staff to request that the applicant notify and obtain letters from the adjacent property owners regarding this proposal or has there been sufficient notification and public meetings.

Mr. Rogers stated staff is looking at different options for enhanced notification to ensure that the adjacent property owners understand the impact this rezone and General Plan change will have on their properties.

Vice Chair Bloomfield asked if an exemption or reduced setback would be possible in the future if Dignity Health were to develop into the new setback.

Mr. Rogers stated that Dignity Health would have to go through the PAD themselves for a modification. Staff is also researching other options. As long as Dignity Health stays with the approved plan, that would be vested. He noted that the Sam's Club is 30 years old and many of their locations have closed in recent years. If a new tenant came in and wanted to redevelop or add to the site, the new setback would present a fairly significant impact with an area of approximately 50 by 700 feet.

Vice Chair Bloomfield was concerned that those affected property owners may not have had an opportunity to voice their concerns with the impact this project would have on their setbacks. With regard to the design review, he asked if the adjacent park to the east of the site was associated with this neighborhood or was it an area that is maintained by the town. Does the retention spill over into that area as part of the overall master plan?

Mr. Rogers advised that the adjacent area is just a public park. He did not have the information immediately available regarding the retention and drainage but will obtain that for the Commission.

Commissioner Alibrandi did not feel that changing from General Commercial to residential would be considered a minor amendment. He has served on this Commission for over a year and it seems that there are many requests to go from General Commercial or Light Industrial towards residential. He has never seen that go the other way. He understood that the location is an issue and we want good multi-family in town as well, although he asked if there was any way to track the number of parcels going from commercial or industrial to residential. He has voiced the concern before that with this trend we may find in 20 years that we have allowed so many things to go to residential that there is not enough commercial left for employment areas so that we can have places to live, work and play in Gilbert.

Mr. Rogers stated that staff does keep tabs on a daily basis regarding how much land is in each category and that information is available. He noted that most of the services are paid for by commercial and the town does not earn a lot of tax dollars from residential. That is all taken into consideration when these types of rezoning requests and General Plan changes come through. He agreed that the town is running out of commercial land.

Commissioner Alibrandi stated there have been a number of situations where small slivers of an overall package were changed to residential. It makes sense to be able to live, work and play in the same area. He understood that this infill area has been empty for many years and this is an opportunity to develop it. He did not want to get in the way of people doing what they want with their land; however, the owner purchased this land with the known zoning and General Plan. He was concerned that everyone feels they can come in and change these things. We want to encourage smart growth and development, although his concern is that there be some oversight as to how much is being moved to residential and that we retain the ability to grow the commercial and light industrial base 5, 10, or 20 years in the future.

Mr. Rogers stated that staff does work with internal departments, especially Economic Development, to keep tabs on these changes as well as making recommendations based off of those findings.

Eva Cutro, Planning Division Manager, stated that is something that is considered with the update to the General Plan and the Land Use Map. No one knows what the magic number would be as trends change and industry changes. It is something that is watched and staff works with Economic Development to review any changes to zoning. The Chamber of Commerce also looks at such changes. While staff and many of our residents share Commissioner Alibrandi's concern, it is something that is monitored knowing that we do need to preserve our employment and retail areas. We do want the live, play, work combination. The General Plan is reviewed annually and updated every 10 years.

Commissioner Alibrandi recommended having a specific number in place within the General Plan to be preserved for commercial and industrial. As a true Planning Commission, if a developer is following the master plan, we shouldn't be looking at such changes.

Commissioner Mundt asked if all of the past changes in zoning would be taken into account as we develop new percentages for the General Plan update.

Ms. Cutro advised that the Land Use Map will be updated as well in conjunction with the General Plan update and such changes are taken into account in that process.

Chair Andersen asked how long this site has been vacant.

Mr. Rogers advised that the first commercial development plan was brought in the late 1980s. There have been five or six supporting retail shops and restaurants along Gilbert Road that were approved but were never built as there was no anchor tenant at the time. Historically, this has been a tough site for commercial development.

Chair Andersen understood Commissioner Alibrandi's point and agreed 100% that land owners should be able to do what they want with their land. This is a commercial site that has been sitting vacant for 30 years and the land owner has had a hard time getting it developed as a commercial site. They now have an opportunity for residential to come in. He agreed that it is a weird spot for a multi-family site separating the two commercial sites

with Dignity Health and Sam's Club. He noted that years ago, Chandler Boulevard was a two-way dirt road and farm land. He felt most people back then thought it would still be farm land 20 years out. It is just a progression of development and trending. He would support the zoning change on this site.

Commissioner Alibrandi noted this empty site is next to Dignity Heath with other commercial and retail above and below the site as well as it being right on a major thoroughfare in town within two miles of the US60. If it were Light Industrial or Commercial, he would be all for it, although if there is a recession in the next few years, we will probably have a lot of empty buildings. The dilemma is that 20 years from now we will have all these homes and not enough jobs in town so that people will be driving to Phoenix or Mesa or Chandler or Florence to work. He was trying to understand the balance. If there was one spot that should be easy to get General Commercial or Light Industrial, this would be it. This may be a larger discussion for another day.

Commissioner Simon agreed with Commissioner Alibrandi and felt that we are sometimes too quick to jump to infill projects with residential. He felt this was a large enough piece of land that it doesn't fall into an infill situation. He did not want Gilbert to end up as another bedroom community as we would be losing out on potential income down the road. If the site does sit empty for another 20 years, is that such a bad thing? He understood that we can pull tax money out of the initial build on residential, but wondered if there was the opportunity for some type of Light Industrial or Office on this site.

Vice Chair Bloomfield noted that we do not yet have a full design review package. There is a similar product across Warner from this area and he felt not enough was done as a Planning Commission to make sure that the rear yards were landscaped and the product was desirable. This will be for rent housing with the master HOA taking care of everything. The exhibit shows trees in every yard. He wanted to confirm that this really is the plan moving forward and not just a concept. He understood that the Commission will see this item again, but he wanted the applicant to know that is important to him. The housing shown was pretty basic entry-level housing and he felt that should be revisited to dress it up to meet with the Gilbert standard and to make sure it would be maintained over time and still be attractive 20 years down the road.

Commissioner Simon understood there would only be one egress point for residents as the second access would be gated for Fire access only. He was concerned with 166 units that there is only one egress point.

Chair Andersen, through his experience, believed the north access would be for Fire but would most likely also be for residential egress out of the site. He was in favor of the General Plan change and the rezoning case, although he was not in favor of the Design Review portion as he felt the back yards would be more inviting if they had walls. He asked if there were access gates to the back yards for Fire.

Mr. Rogers stated staff is still working with Fire regarding the Fire code due to the mix of single-family and multi-family.

Chair Andersen felt that was something that needed to be worked out in terms of Fire access for the homes. He understood the concept and this seems to be a hot product now and a lot of it is being built. He felt the design was not that impressive and the units appeared to be prefabricated or modular units.

The applicant advised that the units would be site built.

Chair Andersen felt there was a higher standard of design here in Gilbert. He would highly encourage the applicant to take another look at the design to make it look a little bit more residential. He felt even the clubhouse was not in character with the rest of the architecture.

Mr. Rogers will work with the applicant to address the issues raised by the Commission.

2. DISCUSSION OF REGULAR MEETING AGENDA:

Chair Andersen recommended that a few items on the non-consent agenda be moved to the consent calendar if there were no requests to speak on those items from the public. Those items are 18. GP19-11 and 19. Z19-23 for The Murphy and 20. GP19-12 and 21. Z19-24 for Val Vista Square.

The Commission agreed to move those items to the Consent Calendar if there was no public comment.

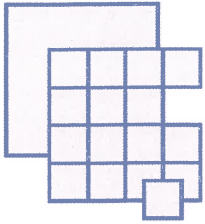
ADJOURN STUDY SESSION

With no further business before the Commission, Chair Andersen adjourned the Study Session at 6:25 p.m.

Brian Andersen, Chairman

ATTEST:

Dana Desing, Recording Secretary



Pew & Lake, P.L.C.
Real Estate and Land Use Attorneys

W. Ralph Pew
Certified Real Estate Specialist
Sean B. Lake
Reese L. Anderson

January 28, 2020

NOTICE OF REZONING ADJACENT PROPERTY

VIA US REGULAR MAIL

HTA-Gilbert Health LLC (IMPS)
16435 N Scottsdale Rd. Suite 320
Scottsdale, AZ 85254

To Whom it May Concern:

On behalf of our client, Cavan Companies, we have submitted an application with the Town of Gilbert to rezone Maricopa County Parcel 304-10-021Y from General Commercial (GC) to Multifamily Low Planned Area Development (MF/L PAD) to allow the development of a single story apartment home gated community. A copy of the site plan is attached. This rezoning change will also impact the setbacks for your property from 20 feet to 75 feet from the property line but does not impact the existing structures on site that are already built. I have attached a map showing this change, which shows a drive isle and parking area in this area. We wanted to make sure you are aware our rezoning request and our future development plans.

If you have any questions regarding this matter please contact my office at 480 461 4670.

Sincerely,

Sean B. Lake
PEW & LAKE, PLC

Enclosures

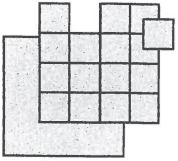
Proposed Preliminary Site Plan



GILBERT & ASH • CONCEPTUAL SITE PLAN

GILBERT, ARIZONA
2019-05-23
19001632



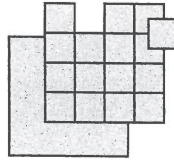


Pew & Lake, P.L.C.
Real Estate and Land Use Attorneys

1744 South Val Vista Drive, Suite 217
Mesa, Arizona 85204



HTA-GILBERT HEALTH LLC (IMPS)
16435 N SCOTTSDALE RD SUITE 320
SCOTTSDALE, AZ 85254

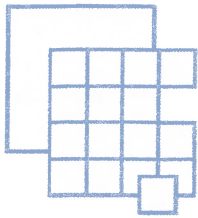


Pew & Lake, P.L.C.
Real Estate and Land Use Attorneys

1744 South Val Vista Drive, Suite 217
Mesa, Arizona 85204



Nancy L. Davidson
Assistant Town Attorney
Town of Gilbert
50 East Civic Center Drive
Gilbert, AZ 85296



Pew & Lake, P.L.C.
Real Estate and Land Use Attorneys

W. Ralph Pew
Certified Real Estate Specialist
Sean B. Lake
Reese L. Anderson

January 28, 2020

NOTICE OF REZONING ADJACENT PROPERTY

VIA US REGULAR MAIL

Sams West Inc. #6605
PO Box 8050 MS 0555
Bentonville, AR 72716-0555

To Whom it May Concern:

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Sincerely,

Sean B. Lake
PEW & LAKE, PLC

Enclosures

cc: Paul and Eleanor Sade Survivor's Trust PO Box 378 Alamo, CA 94507

Proposed Preliminary Site Plan



GILBERT & ASH • CONCEPTUAL SITE PLAN

GILBERT, ARIZONA
 7019-505-23
 # 15001632



Aerial Parcel Map
NEC Gilbert Rd. & Ash St.
APN 304-10-021Y
South Map



Pew & Lake, P.L.C.
Real Estate and Land Use Attorneys

11 Vista Drive, Suite 217
85204

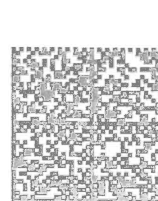


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0000304369 JAN 28 2020
MAILED FROM ZIP CODE 85204

SAMS WEST INC #6605
PO BOX 8050 MS 0555
BENTONVILLE, AR 72716-0555

Pew & Lake, P.L.C.
Real Estate and Land Use Attorneys

11 Vista Drive, Suite 217
85204

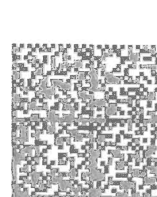


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PAUL AND ELEANOR SADE SURVIVOR'S TRUST
PO BOX 378
ALAMO, CA 94507

Pew & Lake, P.L.C.
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Vista Drive, Suite 217
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Gilbert, AZ 85296